

CONFERENCE COMMITTEE REPORT

SB 132

2023 Regular Session

Reese

June 8, 2023

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 132 by Senator Reese, recommend the following concerning the Engrossed bill:

- 1. That the set of House Committee Amendments (#3409) proposed by the House Committee on Ways and Means and adopted by the House of Representatives on May 25, 2023, be adopted.
- 2. That the following amendment to the Engrossed Bill be adopted:

AMENDMENT NO. 1

In House Committee Amendment No. 4 by the House Committee on Ways and Means (#3409), on page 1, at the end of line 30, after "**projects**" and before the period "." insert "**and projects included in the Water Sector Program established pursuant to the provisions of R.S. 39:100.56**"

Respectfully submitted,

Senators:

Representatives:

Senator Mike Reese

Representative Stuart J. Bishop

Senator R. L. Bret Allain II

Representative Neil Riser

Senator Eddie J. Lambert

Representative Buddy Mincey, Jr.

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Emily Toler.

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and summary of the bill as proposed by the Conference Committee

CAPITAL OUTLAY. Provides relative to exemptions to capital outlay procedure. (8/1/23)

Report adopts House amendments to:

1. Add authority for the division of administration to delegate the administration of projects as it deems necessary, through the office of facility planning and control, to a state agency or higher education management board through the approval and execution of a cooperative endeavor agreement for the planning, design, bidding, contracting, construction, and management of projects.
2. Authorize the office of facility planning and control to utilize the services of a contracted third-party management firm to assist with the administration and management of capital outlay projects.
3. Increase the maximum costs an agency may incur to undertake repairs, renovations, or construction of projects not included in the capital outlay budget from \$150,000 to \$250,000 and removes the cumulative per agency, per fiscal year limitation for expenditures upon repairs, renovations, or construction projects and the requirement that the expenditures for these repairs be first approved by the commissioner of administration and the Joint Legislative Committee on Budget.

Report amends the bill to:

1. Authorize the office of facility planning and control to utilize the services of a contracted third-party management firm to assist with the administration and management of projects or projects included in the Water Sector Program established pursuant to the provisions of R.S. 39:100.56.

Digest of the bill as proposed by the Conference Committee

Present law authorizes a university, higher education facility, or consortium to undertake any new construction, maintenance, or repair project not exceeding \$5,000,000 solely funded from self-generated revenues, grants, donations, or local or federal funds without being included in the Capital Outlay Bill provided the project is approved by the appropriate governing board or management board; the Board of Regents; the division of administration, office of facility planning and control; and the Joint Legislative Committee on the Budget.

Proposed law increases the maximum threshold from \$5,000,000 to \$10,000,000 and otherwise retains present law.

Proposed law adds authority for DOA to delegate the administration of projects through FP&C to a state agency or higher education management board through the approval and execution of a CEA for the planning, design, bidding, contracting, construction, and management of projects.

Proposed law adds authority for FP&C to delegate administration of projects to a state agency or higher education management board through the approval and execution of a CEA for the planning, design, bidding, contracting, construction, and management of projects.

Proposed law allows FP&C to utilize the services of a contracted third-party management firm to assist with the administration and management of capital outlay projects or projects included in the Water Sector Program established pursuant to present law.

Proposed law increases the maximum costs an agency may incur to undertake repairs, renovations, or construction of projects not included in the capital outlay budget from \$150,000 to \$250,000 and removes the cumulative per agency, per fiscal year limitation for expenditures upon repairs, renovations, or construction projects and the requirement that the expenditures for these repairs be first approved by the commissioner of administration and JLCB.

Effective August 1, 2023.

(Amends R.S. 39:128(B)(4)(a)(i) and (C); Adds R.S. 39:121(8) and (9))